

REMARKS

1,2. Only claims 31 and 38 remain herein and both are dependent.

3. The approval of the drawings received by the Office on 12/20/2006 is noted.

4,5. Claims 21, 25, 26, 28 and 29 have been amended to remove the language which the Examiner considered to be not supported by the original disclosure. However, applicant believed these limitations were inherent in the original disclosure and was not inconsistent. The fact that applicant disclosed a pair of strips to attach a sheet to the keyboard, does not mean or imply that the sheet had adhesive "distributed" on either face of the sheet as disclosed in a prior applied reference to Gochanour 5,774,889, for example, where the adhesive is applied to the entire back surface 18 of film 14. Similarly "void of any electrical charge" was to define over applied prior art. These issues are now believed to be moot.

6,7. No comment needed.

8. Claims 21, 25, 26, 28 and 29, as now amended, are now believed to be patentable under 35 USC 103(a) over Gaible et al '182 in view of IBM reference. Claim 1, calls for inter alia,

"A package of individual disposable transparent covers for a keyboard. . . for protecting the sterility of the keyboard of a computer . . . each said cover comprising a flat and entirely planar sheet of pliable plastic film of uniform thickness throughout. . . said sheet being configured to contact and entirely protect both the upper surface and a bottom surface of the keyboard to maintain the keyboard sterile and prevent contaminations between dental or medical patients." (emphasis added),

which is not shown or disclosed by Gaible et al. It is believed evident that the closure of Gaible et al with the interlocking strips in the various embodiments, as well as, the gripping ridges 260, 262 fails to teach or show that the film is of uniform thickness throughout. Furthermore, the removal of such closures and ridges would seem to defeat the entire utility of Graible et al and be contraindicated by Gaible et al.

While the use to which applicants' claimed invention is not a structural feature, being of uniform thickness throughout is and Gaible et al does not disclose such feature. Both the courts and the Board of Appeals, have maintained that every word of a claim is important and none can be disregarded, particularly, as here the claim brings in the relationship of the claimed structure with the keyboard of the computer and the protection to maintain sterility thereof and prevent contamination between patients.

Gaible et al does not appear to have "two identical flat sheets" since there is no mention that the bottom edge portion is heat sealed like the two edges 33a, 33b (col. 4, lines 35-37).

9. Claims 32 and 37, as now amended, are believed to be patentable under 35 USC 103(a) over Yanagisawa '257 in view of Adair '188. While Yanagisawa mentions in col. 11, lines 36-37, that "the entire keyboard body may be covered to be enclosed", he does not show or teach any embodiment to accomplish same, although showing several variations of his covers. The "covered to be enclosed" may just be in wrapping the keyboard in Saran or plastic wrap much like a sandwich. Nowhere in Yanagisawa is an envelope suggested.

Adair does disclose an elaborate system to maintain the laptop computer sterile by providing the laptop trough an open end 16a which is rolled up and secured on the backside of the computer screen area, with a cable drape sealing the cable 64 and a vacuum line 26a connected to vacuum port 24a.

It would seem that Yanagisawa a person having extraordinary skill in the art would be aware of the prior art like Adair but failed to even mention an envelope, for example, made of clear film as called for in applicants claims. It would also appear that a person having ordinary skill in the art would not substitute the Adair encapsulating cover for the simple cover of the keyboard of Yanagisawa.

Applicants are unable to determine from Adair what "sheet" is "formed as an envelope with an elongated opening along a top edge portion", as stated by the Examiner. Nor how this is accomplished by reconstruction of Yanagisawa.

10. Claims 41 and 42 are believed to be patentable under 35 USC 103(a) over Yanagisawa '527, in view of Adair and further in view of Gaible et al '182, for the same reasons advanced above with respect to claims 32 and 37. Gaible et al at col. 4, lines 34-38 teaches a single sheet with heat seals along the folded over sides along their edges 33a, 33b with the fold of the bag being at the bottom. Therefore, applicants believe that this stated rejection is not in accord with the teachings of these references and should be withdrawn.

Applicants would welcome any suggestions of the Examiner as to any changes to the claim(s) that would be helpful in defining over the art of record.

Respectfully submitted,

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